Sri K. F. PATIL.—The whole list for the State is here. Dharwar 12; Bijapur 11; Belgaum 8; and North Kanara Nil.

Sri G. B. SHANKAR RAO.—May I know whether it is a fact that Government have decided to arrange cattle shows districtwise ?

Sri K. F. PATIL.—Priority will be given to places where cattle fairs are held.

Sri G. B. SHANKAR RAO.—What is the normal time fixed ?

Sri K. F. PATIL.—Time will not be fixed by Government. Local Committees will fix the time.

Sri G. B. SHANKAR RAO.—Are the Government aware that cattle shows are arranged in some places in the rainy season which is most ill suited for cattle shows ?

Sri K. F. PATIL.—It is the local committees that arrange these things. It is not for the Government from here to settle the time and dates of these fairs.

Sri G. B. SHANKAR RAO.—May I know whether the Government have independently arranged cattle shows this year ?

Sri K. F. PATIL.—This year also, according to the old system, where cattle fairs are being held.

Sri G. B. SHANKAR RAO.—My question is whether the Government has also independently of any private body run cattle shows in the State ?

Sri K. F. PATIL.—I have no idea.

Sri G. B. SHANKAR RAO.—Wherever cattle shows are held, have not Government given a fillip ?

Sri K. F. PATIL.—Government also helps in such festivals, like the All India Cattle Show which is likely to be held in Bangalore itself.

Road from Tavarekere to Bevinalli.

Q.—851. Sri T. TARE GOWDA (Sira).—

Will the Government be pleased to state :—

(*a*) whether they are aware of the necessity to extend the Tumkur District Board Road from Tavarekere to Bevinalli up to Dwaranakunte, Sira Taluk border, *via* Chanagavara, Lakkapanalli;

(*b*) whether they would prepare an estimate and lay the road early as the Chitaldrug District Board are extending their portion of the road from Dharmapur to Sakra and ask the Hiriyur Taluk Board to join the said road;

(*c*) whether they are aware that the said road will connect interior villages in Sira and Hiriyur Taluks and bus service to be operated ;

(*d*) whether they would provide funds for executing the said work ?

A.—Sri T. SUBRAMANYA (Minister for Law, Labour and Local Government).—

(*a*) Yes.

(*b*) This will be done when finances of the District Board permit.

(*c*) Yes.

(*d*) The matter will be examined.

ಶ್ರೀ ಟಿ. ತಾರೇಗೌಡ.—ಈ ರಸ್ತೆಯಲ್ಲಿ ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಬೋರ್ಡಿನವರು ಮೈಲಿ, ಫರ್ಲಾಂಗ್ ಕಲ್ಲುಗಳನ್ನು ನೆಟ್ಟು ಎರಡು-ಮೂರು ವರ್ಷಗಳಾಗಿ ಹೋಗಿದ್ದರೂ ಸಹ ಇನ್ನೂ ವರೆಗೆ ಮಾತ್ರ ಮಾಡದೇ ಇರುವುದು ಸರಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿದೆಯೇ ?

*ಶ್ರೀ ಟಿ. ಸುಬ್ರಹ್ಮಣ್ಯ.—ಅದು ಸರಕಾರದ ಗಮನಕ್ಕೆ ಬಂದ ಕೂಡಲೇ ಈ ಕೆಲಸಕ್ಕಾಗಿ ಎಂಟು ಸಾವಿರ ರೂಪಾಯಿ ಗ್ರಾಂಟ್ ಕೊಡಬೇಕೆಂದು ಹುಕುಮ್ ಸಹ ಮಾಡಿದೆ.

Tax outstanding from R.M.D.C.

Q.—1072. Sri K. S. SURYANARAYANA RAO (Mysore).—

Will the Government be pleased to state :—

(*a*) the date when Messrs. R.M. D.C. & Co., stopped their Competition in Mysore State;

(*b*) the amount of Tax outstanding from the said concern up to date;

(*c*) the action they have taken to collect the same;

(*d*) whether they have collected the taxes for the period Messrs. R.M.D.C. conducted the competitions without a license and, if so, the amount thereon;

(*e*) the period of their running the business without proper license from the Government ?

A.—Sri T. MARIAPPA (Minister for Finance).—

(*a*) M/s. R.M.D.C. Ltd., closed their competitions at Bangalore in April 1957, consequent on the judgment delivered by the Supreme Court on 9th April 1957.

(*b*) and (*c*) M/s. R.M.D.C. (Mysore) Ltd , have filed a suit in the Court of the District Judge, Bangalore, praying that it may be declared that (i) the provisions of the Mysore Act relating to the levy, recovery and collection of tax on competitions are void, illegal, *ultra vires* and without authority of law, and that (ii) the levy of tax and recovery and collection of tax from the company under the said Act are equally void, illegal, *ultra vires* and without authority of law. The suit is still pending. The matter raised in the question is, therefore, *sub judice.*

(*d*) No.

(*e*) From 1st April 1956 to 9th April 1957.

Sri K. S. SURYANARAYANA RAO.—To question (*b*), the answer given is "*sub judice*". May I know whether to say what amount is outstanding according to the Government is a matter not to be disclosed in this House and is *sub judice* ?

*Sri T. MARIAPPA.—This is a question that has come up on several occasions in the very same form. In view of the fact that the question is before the District Judge as well as before the High Court, I have stated that the whole matter is *sub judice*; because even the quantum of amount is also under dispute.

Mr. SPEAKER.—Quantum of amount is also *sub judice* naturally.

Sri K. S. SURYANARAYANA RAO.—What amount according to Government is due to them. . . .

Mr. SPEAKER.—Even that is *sub-judice.*

Sri K. S. SURYANARAYANA RAO.—The dispute may be *sub judice.* But what is the claim of the Government is not a matter *sub judice.*

Mr. SPEAKER.—What is the claim by the Government is also *sub judice* in the sense, that it is challenged by the R M.D.C. that the Government is not entitled to claim anything.

Sri K. PUTTASWAMY.—It may be that the R.M.D.C. is challenging the claim. But we want to know what is the amount of claim by the Government. It may be sustainable or not sustainable. . . .

Mr. SPEAKER.—Hon'ble Sri Puttaswamy is also a lawyer. He knows that in a suit there is a plaint and a written statement Unless there is a plaint there cannot be a defence. Even the quantum of amount is also *sub judice* because the Court will have to give its own judgment.

Sri M. RAMAPPA.—At least we are entitled to know what is the amount claimed by the Government.

Mr. SPEAKER.—You are not entitled to know the plaint or the defence when it is *sub judice.*

When a case is going on in the Court, the whole case is before the Court and that becomes *sub judice.* Of course the Hon'ble Member may have the opportunity to get a copy of the plaint and the written statement. But that does not solve the problem here. What is the claim and what is the counter claim etc. as these are all before the Court, the whole subject becomes *sub judice.*

Sri R. M. PATIL.—May I take it that that is the ruling of the Chair ?

Mr. SPEAKER.—Yes. Also I will read the relevant rule: "It shall not ask for information on a matter which is under adjudication by a Court of Law having jurisdiction in any part of India".

Sri T. MARIAPPA.—Sir, the previous ruling is there. But the question is raised up in a different form.

Sri K. S. SURYANARAYANA RAO.—Did the Government at any time make a demand on the R.M.D.C. for the collection of this tax ?

Sri T. MARIAPPA.—I have already stated that the question is also *sub judice.*

Sri K. S. SURYANARAYANA RAO.—I want to make a point here Sir. Whether an Act passed by this Legislature is valid or not, that is *sub judice.* It is not *sub judice,* according to the answers, what is the amount claimed under adjudication.

Sri T. MARIAPPA.—To a slip of my tongue, I am not going to yield.

Sri K. S. SURYANARAYANA RAO.—The matter before the Court is as to the validity. . . .

Mr. SPEAKER.—It is relating to "the levy, recovery and collection of tax on competitions are void, illegal. ."

Sri K. S. SURYANARAYANA RAO.—If the Hon'ble Speaker allows me: what is outside the point of law and the Constitution—it is not a fact.

Mr. SPEAKER.—Unless the law allows the collection of tax, there can be no collection at all.

Sri R. M. PATIL.—On a point of order, Sir. When the question is *sub judice*, supplementaries cannot be allowed.

Mr. SPEAKER.—Of course, I am just trying to understand whether the supplementaries are outside the scope of the matter.

Sri V. P. DEENADAYALU NAIDU.—The question itself is *sub judice*.

Sri G. VENKATAI GOWDA.—Supplementary to (*c*) Sir, may I know whether the Government have taken any action against the R.M.D.C. for running without a licence?

Sri T. MARIAPPA.—Even that question is *sub judice*. As the House is aware, we have passed an Act legalising the action taken by the Government There was an Ordinance. That question is also before the High Court. Very recently arguments have taken place on this point. I am not going to commit myself further.

ಶ್ರೀ ಎಚ್. ಜಿ. ನರಸಿಂಹೇಗೌಡ.—ಸ್ವಾಮಿ, ಈ 1072ನೇ ಪ್ರಶ್ನೆಯ ವಿಷಯ ನಬ್‌ಜುಡಿಸ್ ಆಗಿರುವುದರಿಂದ ಆದನ್ನು ಸ್ಕ್ರುಟಿನಿಮಾಡಿ ಅದಕ್ಕೆ ಉತ್ತರ ಕೊಟ್ಟಿರುವುದನ್ನು ಅಧ್ಯಕ್ಷರು ಹೇಗೆ allow ಮಾಡಿದರು?

Sri T. MARIAPPA.—Order, order, Sir, he shall not question the ruling of the Chair.

Mr. SPEAKER.—I have allowed this question. I do not think any Hon'ble Member has any power to question the admitting or allowing of quostion is concerned. I have the power. I have looked into it and I have allowed it.

Sri D. DEVARAJ URS.—Is the amount claimed by Government small or large?

Mr. SPEAKER.—Even that is *sub judice*.

Sri N. G. NARASIMHE GOWDA.—On a point of order Sir. ಈ ಪ್ರಶ್ನೆಯ ವಿಷಯ ನಬ್‌ಜುಡಿಸ್ ಇರುವುದರಿಂದ ಉಪಪ್ರಶ್ನೆಗಳನ್ನು ಕೇಳುವುದಕ್ಕಾಗುವುದಿಲ್ಲವಾದ್ದರಿಂದ ನಾವು ಮುಂದಿನ ಪ್ರಶ್ನೆಗೆ ಹೋಗಬಹುದಲ್ಲವೆ?

ಅಧ್ಯಕ್ಷರು.—ನಬ್‌ಜುಡಿಸ್‌ಗೆ ಸಂಬಂಧವಿಲ್ಲದಂಥ ಬೇರೆ ಉಪಪ್ರಶ್ನೆಗಳನ್ನು ಕೇಳಬಹುದು.

2 P.M.

Sri K. S. SURYANARAYANA RAO.—In answer (*e*) it is said 'from 1st April 1956 to 9th April 1957'; did the Government take any action during that period to collect the tax?—not for the period since the Act came into force or passed by this Legislature, but prior to that, did the Government take any action to collect the amount due from the concern?

Sri T. MARIAPPA.—Sir, the question is covered by answer to (*b*) and (*c*). So far as (*e*) is concerned, the House is aware that there was an ordinance during that period and this ordinance was replaced by this Legislature vesting the authority in the Government to take action.

Sri K. S. SURYANARAYANA RAO.—Before the Act was passed by this Legislature, did the Government take any other steps to ascertain the amount due from the concern?

Sri T. MARIAPPA.—I have said already, the whole question is pending before the District Judge.

Sri K. S. SURYANARAYANA RAO.—Have the Government filed the suit Sir?

Sri T. MARIAPPA.—The R.M.D.C. (Mysore) Ltd., have filed the suit in the court of the District Judge, Bangalore.

An HON'BLE MEMBER.—Is there a stay order?

Sri T. MARIAPPA.—There was a stay order. Subsequently, it was modified to some extent.

Sri A. R. BADRI NARAYAN.—Sir, in view of the fact that the Hon'ble Speaker has been pleased to admit this question, can the Hon'ble Minister for Finance make a statement on facts which do not come within the purview of '*sub judice*'?

Mr. SPEAKER.—How can he anticipate that?

Sri A. R. BADRI NARAYAN.—Only such facts which are not *sub-judice*.

Sri T. MARIAPPA.—Sir, any slip by me would be taken advantage of by the party. It is not possible to make such a statement.

Sri C. K. RAJAIAH SETTY.—Has it come to the notice of the Government that there is some recovery after the R.M.D.C. filed the suit against the Government ?

Sri T. MARIAPPA.—It has come to the notice of the Government that money is in deposit.

Sri M. C. NARASIMHAN.—When did the Government serve notice of demand on the R.M.D.C.?

Sri T. MARIAPPA.—Again, I say it is *sub judic*. Even that is contested.

Sri M. C. NARASIMHAN.—If there is any misunderstanding, I would like to repeat my question. I want the date on which the notice of demand was served on the R.M.D.C. That cannot be a matter *sub judice*.

Sri T. MARIAPPA.—I want notice.

Sri G. VENKATAI GOWDA.—Has the stay order been vacated, Sir ?

Sri T. MARIAPPA.—It is only modified in fact.

Sri G. VENKATAI GOWDA.—What action did Government take after vesting the authority in the Government ?

Sri T. MARIAPPA.—That again is *sub judice*.

Sri G. VENKATAI GOWDA.—Is it not a fact that the R.M.D.C. has filed a suit as a result of the Government taking action ?

Sri T. MARIAPPA.—This question bristles with complications. Anything said here will be taken advantage of.

Mr. SPEAKER.—I dot not want the Government to say anything on matters *sub-judice* or commit contempt of the court. I will try to protect the treasury benches and the House from committing any contempt of the court. But my difficulty is, I do not have an exact idea as to what is exactly *sub judice* in the case. In that case, I rely on the treasury benches to give me full information.

Sri M. C. NARASIMHAN.—My submission, Sir, is that such omnibus protection may land the House in difficulty. It is for the chair to give due protection. But the Treasury Benches should not withhold any reasonable information. We wanted to know only facts. My question was, when was the notice of demand served. The Hon'ble Minister wants notice and he says it is *sub judice*.

Mr. SPEAKER.—The Minister said, he wanted notice.

Sri T. MARIAPPA.—So far as the date is concerned, I want notice, Sir.

Sri C. J. MUCKANNAPPA.—May I know whether any property is left over by the R.M.D.C. proprietor in Mysore State ?

Mr. SPEAKER.—It does not arise.

Sri C. J. MUCKANNAPPA.—Even after getting the matter settled in the court of law, I want to know how this Government will be able to recover that money, because he has already left for Bombay. That is my apprehension. May I know whether any property is left in Mysore State by the concern ?

Mr. SPEAKER.—Do not deal in apprehensions. Deal with facts. Question time is over.

QUESTIONS FOR ANSWERS ON THE DAY.

(but not taken up)

Change of Blocks of Sendi Trees in Hyderabad Karnatak.

Q.—2536. Sri S. SHARANGOWDA (Jewargi).—

Will the Government be pleased to state:—

(*a*) the names of contractors of Hyderabad Karnatak whose cases regarding change of blocks of Sendi trees for the current year were referred by the Deputy Excise Commissioner of Gulberga to Excise Commissioner in Mysore for sanction;

(*b*) the action taken in this regard ?

A.—Sri N. RACHIAH (Minister for Social Welfare, Excise and Prohibition).—

(*a*) Somagowda Pullayya.